

REMARKS

Reconsideration of the application in view of the following remarks is respectfully requested.

Rejection of the Claims Under 35 U.S.C. §§ 102 & 103

In the Office Action dated May 9, 2005, claims 1-7 and 11-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent Application 2004/0193669, by *Shirani* (hereafter referred to as "the *Shirani Application*"). Claims 8 and 18 were rejected under 35 U.S.C. § 103 as being unpatentable over *Shirani* in view of US Patent Application 2003/0090339, by *Yu et al.*

In rejecting claims 1-7 and 11-17 for being anticipated by the *Shirani Application*, the Examiner asserted that the "calibration circuit" of Applicant's claims is taught by the tuning circuit shown in figure 3. See Final Office Action, page 2. Applicant respectfully contends that figure 3 of the *Shirani Application*, and its counterpart written disclosure, has an effective filing date of Oct 2, 2003. The Present Application has a filing date of July 7, 2003. As such, figure 3 of the *Shirani Application* is NOT prior art under 35 U.S.C. § 102(e).

The *Shirani Application* claims priority to two provisional patent applications: 60/415,790, filed Oct 2, 2002, and 60/488,145, filed July 16, 2003. The first provisional patent application, 60/415,790, filed Oct 2, 2002, discloses FIG. 1 of the *Shirani*

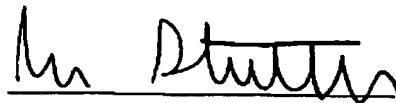
Application. There is no disclosure regarding a tuning circuit. Figure 3 of the *Shirani Application* was first disclosed in the utility application, filed Oct 2, 2003. Therefore, the tuning circuit shown in figure 3, and its counterpart written description, of the *Shirani Application* has an effective filing date of Oct 2, 2003, and therefore is NOT prior art to the present application.

CONCLUSION

In view of the foregoing, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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